

DETAILED ACTION

Response to Amendment

1. Applicant's arguments filed on 12/14/2009 have been fully considered but are moot in view of new grounds of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 44-54, and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Texerman et al. (US 2004/0141522) in view of Moriwaki et al. (US 2004/0071142).

With respect to claim 44, Texerman discloses a reception device of a first radio communication terminal in a wireless LAN system for radio communication based on a TDMA system with idle time provided between data to be transmitted and received by radio communication terminals (**See Texerman's abstract, section [0001], [0038], [0083], [0126]**), said reception device comprising: an inherent monitoring unit that monitors data which is transmitted from a second radio communication terminal in said wireless WLAN system to a third radio communication terminal in said wireless WLAN system (**See Texerman's section [0032], [0064]-[0067], [0082], [006]-[0008] where in combination of a processor and receiver reads on monitoring unit**); an inherent

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header acquiring unit that acquires a header of said monitored data, said header being able to be used for processing of data addressed to said first radio communication terminal **(See Texerman's section [0064]-[0067], [0082], [006]-[0008] wherein the combinations of a processor and receiver reads on header acquiring unit)** ; and Texerman discloses everything claimed as applied above to claim 44, except for explicitly reciting a processing performing unit that, in case of receiving data without said header from said second radio communication terminal, performs processing of said received data referring to said header acquired from said monitored data. In analogous art, Moriwaki discloses a packet communication device with processing unit that performs various analyses and correction of packets **(See Moriwak's section [0074] and figure 17)**. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Texerman by specifically incorporating a processing unit for the purpose of analysis and correction of packets.

With respect to claim 66, Texerman discloses a reception method performed by a first radio communication terminal in a wireless LAN system for radio communication based on a TDMA system with idle time provided between data to be transmitted and received by radio communication terminals **(See Texerman's abstract, section [0001], [0038], [0083], [0126])**, said reception method comprising the steps of: monitoring data which is transmitted from a second radio communication terminal in said wireless WLAN system to a third radio communication terminal in said wireless WLAN system **(See Texerman's section [0032], [0064]-[0067], [0082], [006]-[0008] where in combination of a processor and receiver reads on monitoring unit)**; acquiring a

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header of said monitored data, said header being able to be used for processing of data addressed to said first radio communication terminal **(See Texerman's section [0064]-[0067], [0082], [006]-[0008] wherein the combinations of a processor and receiver reads on header acquiring unit)** ; and in case of receiving data without said header from said second radio communication terminal, performing processing of said received data referring to said header acquired from said monitored data. Texerman discloses everything claimed as applied above to claim 66, except for explicitly reciting performing processing of said received data referring to said header acquired from said monitored data. In analogous art, Moriwaki discloses a packet communication device with processing unit that performs various analyses and correction of packets **(See Moriwak's section [0074] and figure 17)**. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Texerman by specifically incorporating a processing unit for the purpose of analysis and correction of packets.

With respect to claim 45, Texerman discloses a reception device further comprising a setting changing unit that changes a communication setting during said radio communication to reduce header transmission time and/or idle time **(See Texerman's section [0032], [0064]-[0067], [0082])**.

With respect to claim 46, Texerman discloses a reception device further comprising: an ability acquiring unit that acquires an ability to reduce header transmission time and/or idle time of said second radio communication terminal from a radio communication terminal different from said second radio communication terminal

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and a setting changing unit that changes a communication setting during said radio communication to reduce said header transmission time and/or said idle time, by referring to said ability **(See Texerman's section [0032], [0064]-[0067], [0082])**.

With respect to claim 48, Texerman discloses a reception device further comprising a number setting unit that sets the number of said predetermined data transmissions where said header is added in communication setting **(See Texerman's section [0064]-[0067], [0082], [0032])**.

With respect to claim 49, Texerman discloses a reception device further comprising: an identification information associating unit that associates identification information to identify said second radio communication terminal with information relating to said header; and a transmission unit that transmits said identification information to said second radio communication terminal **(See Texerman's section [0032], [0064]-[0067], [0082], [006]-[0008], [0011], [0013])**.

With respect to claim 50, Texerman discloses a reception device further comprising: a first reception unit that receives information relating to said header as data; and a second reception unit that receives data added with predetermined identification information from said second radio communication terminal subsequently, said predetermined identification information being associated with said header **(See Texerman's abstract, section [0036]-[0040])**;

With respect to claim 51, Texerman discloses a reception device further comprising an identification information setting unit that sets said identification

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information with said second radio communication terminal **(See Texerman's section [0032], [0064]-[0067], [0082]).**

With respect to claim 52, Texerman discloses a reception device further comprising a transmission unit that, when receiving data, transmits acknowledgment information to notify that said received data has been successfully received followed by transmitting data **(See Texerman's section [0022], [0038], [0099]).**

With respect to claim 53, Texerman discloses a reception device further comprising a transmission terminating unit that terminates transmission of said data following said acknowledgment information in accordance with a predetermined condition **(See Texerman's section [0022], [0038], [0099]).**

With respect to claim 54, Texerman discloses a reception device wherein communication in accordance with IEEE Std 802.11 is utilized as said radio communication **(See Texerman's abstract, section [0001], [0008], [0010], [0028], [0029]).**

With respect to claim 47, the above combinations disclose the limitation of the claim 47.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 55-65, and 67 are rejected under 35 U.S.C. 102 (e) as being anticipated by Texerman et al. (US 2004/0141522).

With respect to claim 55, Texerman discloses a transmission device of a first communication terminal in a wireless LAN system for radio communication based on a TDMA system with idle time provided between data to be transmitted and received by radio communication terminals **(See Texerman's abstract, section [0001], [0038], [0083], [0126])**, said transmission device comprising: a first transmission unit that transmits data with a header to a second communication terminal in said wireless LAN system, said data being able to be acquired by a third communication terminal in said wireless WLAN system and said header of said data being able to be used for processing of data addressed to said third communication terminal and a second transmission unit that transmits data without said header to said third communication terminal **(See Texerman's abstract, section [0036]-[0040] wherein a transmission unit is an inherent part of WLAN system).**

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With respect to claim 67, Texerman discloses a transmission method of a first communication terminal in a wireless LAN system for radio communication based on a TDMA system with idle time provided between data to be transmitted and received by radio communication terminals **(See Texerman's abstract, section [0001], [0038], [0083], [0126])**, said transmission device comprising:
transmitting data with a header to a second communication terminal in said wireless LAN system, said data being able to be acquired by a third communication terminal in said wireless WLAN system and said header of said data being able to be used for processing of data addressed to said third communication terminal and transmitting data without said header to said third communication terminal **(See Texerman's abstract, section [0036]-[0040] wherein a transmission unit is an inherent part of WLAN system)**.

With respect to claim 56, Texerman discloses a transmission device further comprising a setting changing unit that changes a communication setting during said radio communication to reduce header transmission time and/or idle time **(See Texerman's section [0032], [0064]-[0067], [0082])**.

With respect to claim 57, Texerman discloses a transmission device further comprising: an ability acquiring unit that acquires an ability to reduce header transmission time and/or idle time of said third radio communication terminal from a radio communication terminal different from said third radio communication terminal; and a setting changing unit that changes a communication setting during said radio

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communication to reduce said header transmission time and/or said idle time, by referring to said ability **(See Texerman's section [0032], [0064]-[0067], [0082])**.

With respect to claim 58, the above combinations disclose the limitations of the claim 58.

With respect to claim 59, Texerman discloses a transmission device further comprising a number setting unit that sets the number of said predetermined data transmissions where said header is added in communication setting **(See Texerman's section [0064]-[0067], [0082], [0032])**.

With respect to claim 60, Texerman discloses a transmission device further comprising an identification information reception unit that receives identification information to identify said first radio communication terminal from said third radio communication terminal, said identification information being associated with information relating to said header by said third radio communication terminal **(See Texerman's section [0032], [0064]-[0067], [0082], [006]-[0008], [0011], [0013])**.

With respect to claim 61, the above combinations disclose the limitations of the claim 58.

With respect to claim 62, Texerman discloses a transmission device further comprising an identification information setting unit that sets said identification information with said third radio communication terminal **(See Texerman's section [0032], [0064]-[0067], [0082])**.

With respect to claim 63, Texerman discloses a transmission device further comprising a third transmission unit that, when receiving data, transmits

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acknowledgment information to notify that said received data has been successfully received followed by transmitting data (**See Texerman's section [0022], [0038], [0099]**).

With respect to claim 64, Texerman discloses a transmission device further comprising a transmission terminating unit that terminates transmission of said data following said acknowledgment information in accordance with a predetermined condition (**See Texerman's section [0022], [0038], [0099]**).

With respect to claim 65, Texerman discloses a transmission device wherein communication in accordance with IEEE Std 802.11 is utilized as said radio communication (**See Texerman's abstract, section [0001], [0008], [0010], [0028], [0029]**).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sayed T. Zewari whose telephone number is 571-272-6851. The examiner can normally be reached on 8:30-4:30.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sayed T Zewari/
Examiner, Art Unit 2617, March 23, 2010

/LESTER KINCAID/
Supervisory Patent Examiner, Art Unit 2617